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In contrast, two-thirds majorities in the Senate and House here are needed to adopt a pending resolution for a state convention to revise the Illinois constitution of 1870.

[From the Washington Post]

HIGH COURT PONDERS ONE-VOTE ISSUE (By John P. MacKenzie)

The Supreme Court searched yesterday for a place to draw the line on the "one person, one vote" principle for local government.

The Justices completed two days of oral argument in four local reapportionment cases. They heard warnings of a "political thicket" more dangerous than State legislative reapportionment, and complaints of a continuing "rural stranglehold" on cities at the level of county government.

They were assured by lawyers for city dwellers that the problem was manageable despite the number and variety of county and city governing units. One lawyer said that about 20,000 of the Nation's 90,000 local bodies would be affected.

ONLY 20,000?

"Only 20,000?" asked Justice Byron R. White. "That's a lot more than 50," Justice William J. Brennan Jr. added, referring to the number of state legislatures governed by the 1964 equal-population decision.

Justice Abe Fortas said the problem was: "What is local government?" He demanded in each case to know the specific governmental powers the State had delegated to local political units. In no case could opposing counsel agree.

Justice Department Attorney Francis X. Beytagh, supporting extension of the equal-population rule, said Fortas's functional approach would bog the Court down in details not involved in the four cases. He said the rule should apply whenever the State provides for elections by districts to a body with any governmental powers.

At issue are the election processes for these political units:

The school board of Kent County, Mich. Grand Rapids has more than half the County's population, but its school district is only one of 21 in the County, each district having a vote in the annual selection of school board members.

The Board of Revenue and Control of Houston County, Ala. The City of Dothan, which has more than half the County's voters, is outnumbered by four rural districts.

The Board of Supervisors of Suffolk County, Long Island. The County is composed of 10 towns ranging in population from 1300 to 172,000 but each town is entitled to one Board member.

The City Council of Virginia Beach, Va. All its 11 members are elected at large, but seven must reside in each of seven boroughs that vary in population from 733 to 29,000.

MOST DIFFICULT CASE

Beytagh conceded that the Michigan case was "the most difficult" of the four because the school board is not elected directly by the people. But he said most school boards are popularly elected and should be covered by any equal population ruling.

School board attorney Paul O. Strawhecker insisted that in Michigan, "education has never been a part of local self-government." He insisted that fairly apportioned state legislatures were "more competent than any court" to distribute political power below the state level.

Washington attorney Charles S. Rhyne, who argued in the breakthrough 1962 case of Baker vs. Carr, urged the Justices to extend the rule because "it's a principle that you just can't carve up."

But Truman Hobbs, lawyer for the Houston County board, insisted that most of the board's work was administering 1000 miles of rural roads. He said the city "couldn't care less" about county roads and rural residents would suffer if the city dominated the county board.

INVESTMENT TAX CREDIT

The PRESIDING OFFICER. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 6950) to restore the investment credit and the allowance of accelerated depreciation in the case of certain real property.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent, notwithstanding the fact that the morning hour has expired, there be a brief period for the transaction of routine morning business; and I ask unanimous consent that statements during that period be limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 1574. An act for the relief of Bryce A. Smith;

H.R. 1670. An act for the relief of Dr. George H. Edler;

H.R. 4566. An act for the relief of Mary F. Thomas;

H.R. 6167. An act to authorize the extension of certain naval vessel loans now in existence and a new loan, and for other purposes; and

H.R. 8569. An act making appropriation for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 1574. An act for the relief of Bryce A. Smith;

H.R. 1670. An act for the relief of Dr. George H. Edler; and

H.R. 4566. An act for the relief of Mary F. Thomas; to the Committee on the Judiciary.

H.R. 6167. An act to authorize the extension of certain naval vessel loans now in existence and a new loan, and for other purposes; to the Committee on Armed Services.

H.R. 8569. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1968, and for other purposes; to the Committee on Appropriations.

Consensus
REMOVAL OF INJUNCTION OF SECRECY FROM EXECUTIVE I, 90TH CONGRESS, FIRST SESSION, THE CONSULAR CONVENTION BETWEEN THE UNITED STATES AND FRANCE

Mr. BYRD of West Virginia. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive I.

90th Congress, first session, the Consular Convention between the United States of America and France, together with a protocol and two exchanges of notes relating thereto, signed at Paris on July 18, 1966, transmitted to the Senate today by the President of the United States, and that the convention, together with the President's message, be referred to the Committee on Foreign Relations, and that the President's message be printed in the Record.

The PRESIDING OFFICER (Mr. GRUENING in the chair). Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the consular convention between the United States of America and France, together with a protocol and two exchanges of notes relating thereto, signed at Paris on July 18, 1966.

The convention deals with the conduct of consular relations between the two countries and the functions, privileges, and immunities of their respective consular officers. It covers such important matters as the obligations of the two countries to insure free communication between a citizen and his consul, to inform consular officers of the arrest or detention of their citizens, and to permit visits by consuls to any of their citizens who are in prison. It covers consular functions and responsibilities in such fields as the issuance of visas and passports, and the performance of notarial services. It provides for the inviolability of consular communications, documents, and archives, and the obligation of the host country to protect consular premises against intrusion or damage.

I recommend that the Senate give early and favorable consideration to the convention and give its advice and consent to its ratification.

LYNDON B. JOHNSON.

THE WHITE HOUSE, April 19, 1967.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER (Mr. PEARSON in the chair), laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF MARKETING QUOTA PROVISIONS OF AGRICULTURAL ADJUSTMENT ACT OF 1938

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended (with an accompanying paper); to the Committee on Agriculture and Forestry.

AMENDMENT AND CLARIFICATION OF REEMPLOYMENT PROVISIONS OF UNIVERSAL MILITARY TRAINING AND SERVICE ACT

A letter from the Secretary of Labor, transmitting a draft of proposed legislation to amend and clarify the reemployment provisions of the Universal Military Training and Service Act, and for other purposes (with accompanying papers); to the Committee on Armed Services.

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on need to strengthen controls over use of modified live virus vaccines in

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the hog cholera eradication program, Agricultural Research Service, Department of Agriculture, dated April 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on savings available to the Government through revision of the method of supplying commercial rental cars, General Services Administration, dated April 1967 (with an accompanying report); to the Committee on Government Operations.

REPORT ON PROJECTS SELECTED FOR FUNDING UNDER THE WATER RESOURCES RESEARCH ACT OF 1964

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report on projects selected for funding under the Water Resources Research Act of 1964 (with an accompanying report); to the Committee on Interior and Insular Affairs.

INCREASE OF APPROPRIATION FOR CONTINUING WORK IN THE MISSOURI RIVER BASIN

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to increase the appropriation authorization for continuing work in the Missouri River Basin by the Secretary of the Interior (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT ON EXTRAORDINARY CONTRACTUAL ACTIONS TO FACILITATE THE NATIONAL DEFENSE

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to law, a report on extraordinary contractual actions to facilitate the national defense, for the calendar year 1966 (with an accompanying report); to the Committee on the Judiciary.

REPORT ON AUDIT OF FINANCIAL TRANSACTIONS OF THE NATIONAL SAFETY COUNCIL

A letter from the president, National Safety Council, Chicago, Ill., transmitting, pursuant to law, a report on audit of the financial transactions of that council, for the year 1966 (with an accompanying report); to the Committee on the Judiciary.

REPORT ON THIRD PREFERENCE AND SIXTH PREFERENCE CLASSIFICATION FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports on petitions approved according to the beneficiaries of such petitions third preference and sixth preference classification (with accompanying papers); to the Committee on the Judiciary.

REPORT OF ADVISORY COUNCIL ON STATE DEPARTMENTS OF EDUCATION

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report of the Advisory Council on State Departments of Education, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDING OFFICER:

A resolution of the Legislature of the State of New Mexico; to the Committee on Public Works:

"RESOLUTION

"A joint memorial requesting the President of the United States to restore the cut-back and to oppose any future reduction in New Mexico highway fund allocations

"Whereas, highway safety is of vital concern to New Mexico Citizens, and official state figures disclose that an estimated one hundred two lives have been saved on already

completed interstate highways, and it is estimated that completion of our interstate system in New Mexico will result in one thousand eighty fewer accidents and two hundred fewer deaths annually; and

"Whereas, large segments of New Mexico have been declared economically depressed areas with recent statistics disclosing that gain in per capita income in our state is the lowest in the union, and curtailment or cut-back in highway construction has already resulted in the discharge of hundreds of employees directly employed by the industry and its suppliers with consequent reduced money flow, reduced tax revenue and a chaotic economic situation which is certain to result; and

"Whereas, the state of New Mexico has, in the past, expended the maximum amount of available federal funds for highway construction and the imposition of the proposed cut-backs will cause a sixty-one percent reduction of available funds in the last half of 1967, and moneys must be allotted for planning and preliminary engineering from the remaining thirty-nine percent thus leaving even less available for construction with the result that grave delays will be encountered along with the inevitable continued loss of life and limb, together with increasing economic depression for the citizens of our state;

"Now, therefore, be it resolved by the Legislature of the State of New Mexico that the president of the United States, the Honorable Lyndon B. Johnson, is urged and implored to immediately restore the cut-back in our New Mexico highway fund allocations and to oppose any other future reductions; and

"Be it further resolved that a copy of this memorial be transmitted to the president of the United States, to each member of the New Mexico congressional delegation, to the president of the United States senate, and to the speaker of the United States house of representatives."

A resolution of House of Representatives of the State of New Mexico; to the Committee on Agriculture and Forestry:

"RESOLUTION

"A house memorial relating to certain provisions in the cropland adjustments program and requesting consideration of them by the Secretary of Agriculture and the U.S. Congress

"Whereas, the eighty-ninth congress of the United States repealed the provisions of the soil bank program and enacted the cropland adjustments program; and

"Whereas, the soil bank program provided for participation of parts of farms, and the cropland adjustments program has been used for retirement of whole farms; and

"Whereas, the limited amount of money which the secretary of agriculture can now expend on reserving farm acreage has resulted in inequitable participation in the cropland adjustments program:

"Now, therefore, be it resolved by the House of Representatives that the secretary of agriculture and the United States congress are respectfully requested to consider a more equitable method of participation for producers in the cropland adjustments program by apportioning the farm lands held in reserve in such manner as to provide for wider distribution of the benefits; and

"Be it further resolved, that copies of this memorial be sent to the secretary of agriculture, the speaker of the United States house of representatives, the president pro tempore of the United States senate and to the New Mexico delegation to the United States congress."

A resolution of the Senate of the State of New Mexico; to the Committee on Armed Services:

"SENATE MEMORIAL 28

"A memorial requesting the Congress of the United States to amend the draft laws to allow a more equitable selection from disadvantaged minority groups

"Whereas, the minority groups in the state of New Mexico have been economically and educationally deprived and few of the young men in these groups can afford to attend college; and

"Whereas, without a college deferment from the draft, these men are inducted into the armed forces, or to avoid the draft, volunteer for other branches of the armed forces; and

"Whereas, New Mexico's largest minority group consists of Americans of Spanish descent and constitutes some twenty-nine percent of the population of the state; and

"Whereas, approximately sixty-nine percent of all inductees from New Mexico are of Spanish extraction; and

"Whereas, of fifty-eight New Mexicans killed in Vietnam during 1966, twenty-five were Americans of Spanish descent;

"Now, therefore, be it resolved by the Senate of the State of New Mexico that the congress of the United States is requested to amend the draft laws to allow a more equitable selection from disadvantaged minority groups; and

"Be it further resolved that copies of this memorial be sent to the speaker of the United States house of representatives, the president pro tempore of the United States senate and the New Mexico delegation to the United States Congress."

A joint resolution of the Legislature of the State of Colorado; to the Committee on Commerce:

"SENATE JOINT MEMORIAL 9

"Memorial memorializing the Congress of the United States to designate or appoint a committee to investigate the cancellation and discontinuance of contracts for the transportation of rails by railroads, and conditions resulting therefrom

"Whereas, The post office department of the United States has pursued a systematic program of replacing contracts for the transportation of mail by the railroads of this nation with contracts for the transportation thereof by other means; and

"Whereas, The National Transportation Policy of the Congress of the United States is to develop and preserve a national transportation system by rail adequate to meet the needs of the commerce of the United States, of the postal service, and of the national defense; and

"Whereas, One essential element for the continuance of a sound, efficient rail system in this nation is economic stability, which, in turn, is dependent on contracts for the transportation of mail; and

"Whereas, Many railroads have been and will be forced by economic necessity to cancel and eliminate many scheduled passenger trains across the nation, thereby depriving many areas of this nation of year-round transportation and mail facilities, as a direct result of the discontinuance of such mail contracts; and

"Whereas, The economic well-being of thousands of citizens and of hundreds of communities is being endangered by said program of the post office department, thus further increasing the manifold problems of the President and of the Congress in the current 'War on Poverty'; and

"Whereas, In times of emergency, the railroads are looked to and expected to provide safe, dependable transportation for the nation and its citizens, and of its mail, when other methods are ineffective; and

"Whereas, Previous efforts of the General Assembly of the state of Colorado and interested citizens of this state have failed to elicit any efforts by the post office department to correct the problems resulting from the cancellation of contracts for the transportation of mail by rail; now, therefore,

"Be It Resolved by the Senate of the Forty-sixth General Assembly of the State of Colorado, the House of Representatives concurring herein: